

**SUPREME COURT MINUTES  
WEDNESDAY, JULY 27, 2011  
SAN FRANCISCO, CALIFORNIA**

**S138225****PERRY (CLIFTON) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The "Petition for Writ of Habeas Corpus," filed October 20, 2005, is denied. With the exception of Claim XIX, all claims are denied on the merits. Claim XIX (misabeled as a second Claim "IX" in the petition) is denied as premature, without prejudice to the filing of a renewed petition within 10 days after an execution date is set.

Claims IV and V are procedurally barred under *In re Dixon* (1953) 41 Cal.2d 756, 759, because they could have been, but were not, raised on appeal.

To the extent it alleges the evidence is insufficient to support the judgment, Claim XV is also procedurally barred. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

Werdegar, J., was absent and did not participate.

**S192509**

B222978 Second Appellate District, Div. 2

**PEOPLE v. GARCIA  
(HECTOR)**

Petition for review &amp; depublication request(s) denied

Werdegar, J., was absent and did not participate.

**S192749**

E049644 Fourth Appellate District, Div. 2

**PEOPLE v. WILLIAMS  
(JASON DENNIS)**

Petition for review denied

Werdegar, J., was absent and did not participate.

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**S192907**

G041522 Fourth Appellate District, Div. 3

**PEOPLE v. ORTEGA  
(KANDICE NOEL) &  
SUAREZ (JOSE)**

Petitions for review denied

Werdegar, J., was absent and did not participate.

**S193047**

D056670 Fourth Appellate District, Div. 1

**PEOPLE v. RIAZATI  
(MANUCHEHR)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193051** A122842 First Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. CHARLTON  
(RANDALL F.)**

**S193068** H035505 Sixth Appellate District

Petition for review & publication request(s) denied

The requests for an order directing publication of the opinion are denied.

Werdegar, J., was absent and did not participate.

**SANTA CRUZ, COUNTY OF  
v. CARRICK (PAUL M.)**

**S193082** B220474 Second Appellate District, Div. 3

Petitions for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. BUSTOS  
(SANDRA FABIOLA)**

**S193086** G042619 Fourth Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. GALVEZ  
(CEASAR WILLIAM)**

**S193208** E050363 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. ARTEAGA (JOSE  
ALEJANDRO)**

**S193216** B216780 Second Appellate District, Div. 7

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. SULLIVAN  
(TIMMY STEPHON)**

**S193221** D056444/D058846 Fourth Appellate District, Div. 1 **PEOPLE v. MORGAN  
(WILLIAM)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193224** B221071 Second Appellate District, Div. 2

Petition for review denied

Werdegarr, J., was absent and did not participate.

**PEOPLE v. VALENCIA  
(ALEX)**

**S193225** A128444 First Appellate District, Div. 5

Petition for review & publication request(s) denied

Werdegarr, J., was absent and did not participate.

**FARMERS INSURANCE  
EXCHANGE v. VEVEIROS  
(JULIE J.)**

**S193247** B220639 Second Appellate District, Div. 1

Petition for review denied

Werdegarr, J., was absent and did not participate.

**GLASER, WEIL, FINK,  
JACOBS, & SHAPIRO LLP v.  
GOFF (GEORGE)**

**S193270** G044537 Fourth Appellate District, Div. 3

Petition for review denied

Werdegarr, J., was absent and did not participate.

**CHAABAN (SALLY) v. WET  
SEAL, INC.**

**S193271** B221607 Second Appellate District, Div. 2

Petition for review denied

Werdegarr, J., was absent and did not participate.

**IN RE MIGUEL L.**

**S193273** B220043 Second Appellate District, Div. 6

Petitions for review denied

Werdegarr, J., was absent and did not participate.

**PEOPLE v. ADAMS  
(TIFFANY DANIELLE)**

**S193299**

**ORANGE COUNTY  
DEPARTMENT OF  
EDUCATION v. CALIFORNIA  
DEPARTMENT OF  
EDUCATION/(A.S.)**

Request for certification denied

The request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is denied.

Kennard, J., is of the opinion that the request to answer a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit should be granted.

Werdegar, J., was absent and did not participate.

**S193310**      B219153 Second Appellate District, Div. 8

**PEOPLE v. LEON (RANDY  
CARDIEL)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193313**      B220097 Second Appellate District, Div. 5

**PEOPLE v. ROSALES  
(JOSHUA MANUEL)**

Petitions for review denied

Werdegar, J., was absent and did not participate.

**S193330**      A127489 First Appellate District, Div. 3

**SEYMORE (ANDREW) v.  
METSON MARINE, INC.**

Petition for review & depublication request(s) denied

The request for judicial notice is granted.

Werdegar, J., was absent and did not participate.

**S193357**      B223070 Second Appellate District, Div. 5

**GUEVARA (ANGELICA) v.  
S.C./(CITY OF BELL)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193359**      F059253 Fifth Appellate District

**PEOPLE v. ACEVEDO (CRUZ  
BRAMBILA)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193373**      F059783 Fifth Appellate District

**GASTON (ANTHONY) v.  
TERRONEZ (LISA)**

Petition for review denied

Werdegar, J., was absent and did not participate.

**S193376**      B221108 Second Appellate District, Div. 6      **PEOPLE v. ALARCON (RUBEN)**

Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193378**      B223220/B225895 Second Appellate District, Div. 4 **ALEMAN (SYLVIA) v. S.C.**  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193396**      B223723 Second Appellate District, Div. 8      **R.S. v. PACIFICARE LIFE & HEALTH INSURANCE COMPANY**

Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193438**      B222414 Second Appellate District, Div. 5      **PEOPLE v. LESTER (DE EDWARD ANDERSON)**  
Petition for review denied  
Kennard, J., is of the opinion the petition should be granted.  
Werdegar, J., was absent and did not participate.

**S193441**      C058404 Third Appellate District      **PEOPLE v. GUTIERREZ (HERIBERTO CASTRO)**  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193461**      B221096 Second Appellate District, Div. 7      **GARCIA (ELIAS) v. BECKER BROS. STEEL CO.**  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193464**      B218784 Second Appellate District, Div. 8      **PEOPLE v. BRYANT (McKENZIE CARL)**  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**S193465**      B217968 Second Appellate District, Div. 3

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. CONTRERAS  
(NOE)**

**S193467**      E051412 Fourth Appellate District, Div. 2

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. LEIVA  
(MORGAN)**

**S193469**      A125782 First Appellate District, Div. 4

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. ORCUTT  
(LAWRENCE GEORGE)**

**S193472**

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**HSU (JOHN) v. S.C.  
(CALIFORNIA  
DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL)**

**S193473**      H035151 Sixth Appellate District

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. SOUZA (FRANK  
ANTHONY)**

**S193480**

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**HSU (JOHN) v. YANK  
(RONALD)**

**S193492**      D056085 Fourth Appellate District, Div. 1

Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. RAMIREZ, JR.,  
(FERNANDO VIDAL)**

**S193513**      A128379 First Appellate District, Div. 4

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. AZEVEDO  
(EDWARD SANCHEZ)**

**S193517**      D055992 Fourth Appellate District, Div. 1

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. HARRIS (IVORY  
MONTEL)**

**S193524**      E050114 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. LARSON (JON  
WARREN)**

**S193538**      E049828 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. FULMER  
(CHRISTOPHER)**

**S193549**      G043190 Fourth Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. FERGUSON  
(ELIJAH LEIGH)**

**S193588**      A131681 First Appellate District, Div. 5

The petition for review is denied as moot.

Werdegar, J., was absent and did not participate.

**JAMES (LATISHA) v. S.C.  
(PEOPLE)**

**S193632**      E051585 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. NAVA, JR.,  
(BENJAMIN)**

**S193712** G044997 Fourth Appellate District, Div. 3

Petition for review denied  
Werdegar, J., was absent and did not participate.

**IRVINE EUROCARS LLC v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD & SHELLEY (DAMON)**

**S193744** H036547 Sixth Appellate District

Petition for review & application for stay denied  
Werdegar, J., was absent and did not participate.

**BARRETT (ELLEN) v. S.C.  
(MARSHALL)**

**S193770** B216358 Second Appellate District, Div. 3

Petition for review denied  
Werdegar, J., was absent and did not participate.

**BELL (KELLY ANGELA) v.  
MASON (REGINALD)**

**S193824** B225523 Second Appellate District, Div. 5

Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. TELLES  
(CHRISTINE MARIE)**

**S193846** H035620 Sixth Appellate District

Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. ESCUDERO  
(DAVID ANTONIO)**

**S193858** C065030 Third Appellate District

Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. TURNER  
(ANTHONY RICHARDO)**

**S193890** B221561 Second Appellate District, Div. 8

Petition for review denied  
Werdegar, J., was absent and did not participate.

**LEE (KWANG-HO) v.  
CALIFORNIA BOARD OF  
ACCOUNTANCY**



**S193915** F060240 Fifth Appellate District  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. AGUIRRE (ABEL)**

**S193918** C068230 Third Appellate District  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PRIDE (LA JUAN) ON H.C.**

**S193925**  
  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**MASSIH (SHOCKRY) v.  
WAREHOUSE DEMO  
SERVICES, INC.**

**S193941** B227451 Second Appellate District, Div. 7  
  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**MASSIH (CHARLES) v. HSU  
(DAVID)**

**S193965** B222474 Second Appellate District, Div. 2  
  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**CIANCI (NOEL) v.  
CENTAURUS FINANCIAL,  
INC.**

**S193972** B227024 Second Appellate District, Div. 6  
  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**PEOPLE v. LUST (SEAN  
DAVID)**

**S193980** B229830 Second Appellate District, Div. 1  
  
Petition for review denied  
Werdegarr, J., was absent and did not participate.

**LONG BEACH CARE  
CENTER, INC. v. S.C.  
(CHANDLER)**

**S193983**      B225446 Second Appellate District, Div. 4  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**IN RE CRISTINA O.**

**S194028**      B223269 Second Appellate District, Div. 3  
  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. LENNIGAN  
(ROMMEL)**

**S194037**      E053661 Fourth Appellate District, Div. 2  
  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**RAYMOND (LESLIE EARL)  
ON H.C.**

**S194040**      G043023 Fourth Appellate District, Div. 3  
  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. WOODS  
(JEFFREY FRANCIS)**

**S194042**      H034565 Sixth Appellate District  
  
Petitions for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. GARABATO  
(MICHELE)**

**S194067**      G042937 Fourth Appellate District, Div. 3  
  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**PEOPLE v. VICENTE  
(RONALDO CELEDON)**

**S194071**      H036796 Sixth Appellate District  
  
Petition for review denied  
Werdegar, J., was absent and did not participate.

**FORNEY (JEROLD  
DESMOND) ON H.C.**

**S194086** B224868 Second Appellate District, Div. 5

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. HIGHSHAW  
(CARL FITZGERAL)**

**S194094** E053463 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**MUNOZ (RAMON  
EDUARDO) ON H.C.**

**S194106** B223724 Second Appellate District, Div. 6

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. JOHNSON, JR.,  
(NATHANIEL)**

**S194108** D059796 Fourth Appellate District, Div. 1

Petition for review & application for stay denied

Werdegar, J., was absent and did not participate.

**PETCO ANIMAL SUPPLIES,  
INC. v. S.C. (DOWELL)**

**S194111** B217705 Second Appellate District, Div. 7

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. McCULLIN  
(CORTNEY D.)**

**S194113** G043644 Fourth Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. NGUYEN  
(CUONG VIET)**

**S194114** B221154 Second Appellate District, Div. 1

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. NOVOA  
(ANTHONY)**

**S194119** B223062 Second Appellate District, Div. 8

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. HERNANDEZ  
(GILBERT)**

**S194122** B226374 Second Appellate District, Div. 7

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. LOPEZ (JORGE  
LUIS)**

**S194130** E050188 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. FLORES  
(FERNANDO LOPEZ)**

**S194132** E050299 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. BAUTISTA  
(JULIAN DOMINIC)**

**S194133** C062731 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. BROOKS  
(PHILLIP GLENN)**

**S194138** D059268 Fourth Appellate District, Div. 1

Petition for review denied

Werdegar, J., was absent and did not participate.

**THORNTON (DIANE C. &  
WILLIAM C.), MARRIAGE  
OF**

**S194153** C065953 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. CUELLAR (JOSE  
MANUEL)**

**S194157**      A128559 First Appellate District, Div. 1

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. JAMES  
(MICHAEL)**

**S194158**      A128915 First Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. RUEDA (JUAN  
MANUEL)**

**S194166**      B222451 Second Appellate District, Div. 7

Petition for review denied

The application to appear as counsel pro hac vice is granted.

Corrigan, J., was recused and did not participate.

Werdegar, J., was absent and did not participate.

**SAFECO INSURANCE  
COMPANY OF AMERICA v.  
CERTAIN UNDERWRITERS  
AT LLOYD'S, LONDON**

**S194171**      B218753 Second Appellate District, Div. 8

Petition for review denied

Werdegar, J., was absent and did not participate.

**PRICE (JOAN M.) &  
TURKANIS (RICHARD),  
MARRIAGE OF**

**S194176**      C063691 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PIVOTAL 650 CALIFORNIA  
ST., LLC v. MANTECA  
STADIUM PARK, L.P.**

**S194178**      D056611 Fourth Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963, and *People v. Lara*, S192784.

Werdegar, J., was absent and did not participate.

**PEOPLE v. WILLIAMS III  
(RAYMOND)**

**S194180** B228060 Second Appellate District, Div. 5

Petition for review denied

Werdegar, J., was absent and did not participate.

**CHODOS (HILLEL) v. CITY  
OF LOS ANGELES**

**S194186** C064392 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. DIBERNARDO,  
JR., (ANTHONY JOSEPH)**

**S194194** C065001 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. CARROLL  
(JAMES EDWARD)**

**S194205** B232965 Second Appellate District, Div. 8

Petition for review denied

Werdegar, J., was absent and did not participate.

**NADIM (MOHAMMAD R.) v.  
S.C. (NADIM)**

**S194213** E049842 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. WARREN (MARK  
HERBERT)**

**S194221** E049937 Fourth Appellate District, Div. 2

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. BALLARD II  
(DOUGLAS EVAN)**

**S194227** C063162 Third Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. KUE (PHENG)**

**S194244** B233210 Second Appellate District, Div. 8

Petition for review denied

Werdegar, J., was absent and did not participate.

**STRONG TRADING, INC. v.  
S.C. (SALAMANTE)**

**S194246** E053483 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

Werdegar, J., was absent and did not participate.

**COLIN (JOSE) v. S.C.  
(PEOPLE)**

**S194252** G044136 Fourth Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**IN RE R.E.**

**S194255** A127775 First Appellate District, Div. 5

Petition for review denied

Werdegar, J., was absent and did not participate.

**UNION OF AMERICAN  
PHYSICIANS AND DENTISTS  
v. BROWN, JR., (EDMUND G.)**

**S194256** A130301 First Appellate District, Div. 4

Petition for review denied

Werdegar, J., was absent and did not participate.

**PEOPLE v. HOOVER  
(WILLIAM DON)**

**S194257** B223667 Second Appellate District, Div. 3

Petition for review denied

Werdegar, J., was absent and did not participate.

**BAZIKIAN (JACQUELINE) v.  
MIRABADI (PARVIN)**

**S194265**

Petition for writ of mandate/prohibition denied

Werdegar, J., was absent and did not participate.

**OGUN SALU (CORNELIUS  
OLUSEYI) v. COURT OF  
APPEAL, FOURTH  
APPELLATE DISTRICT,  
DIVISION ONE (LEWIS)**

**S194672** G045129 Fourth Appellate District, Div. 3

Petition for review & application for stay denied  
Werdegarr, J., was absent and did not participate.

**S187529**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S189143**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S189283**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S189718**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S189742**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S189985**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**PACIFIC MERCANTILE  
BANK v. S.C. (ZIGNER)**

**MORALES (FRANCISCO) ON  
H.C.**

**SIU (JOSEPH CARLOS) ON  
H.C.**

**HOLT (ROBERT) ON H.C.**

**ARZUAGA (GREGORY) ON  
H.C.**

**QUINTOS (LEO JAVIER) ON  
H.C.**

**NAZARIO (FELICIANO) ON  
H.C.**



**S190213**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**RIOS (DANIEL SAUCEDO)  
ON H.C.**

**S190222**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**RAMOS (DANIEL) ON H.C.**

**S190248**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)  
Werdegarr, J., was absent and did not participate.

**MORA (ERNEST ANGEL) ON  
H.C.**

**S190255**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**MAYS (JAMES EDDIE) ON  
H.C.**

**S190263**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**TORRES (RICHARD D.) ON  
H.C.**

**S190264**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**WELCH (EUGENE  
EVERETT) ON H.C.**

**S190286**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**AVALOS (ALBERT) ON H.C.**

**S190333**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;

**BRUMMETT, JR., (MELVIN  
RAY) ON H.C.**

*In re Clark* (1993) 5 Cal.4th 750, 767-769.)

Werdegarr, J., was absent and did not participate.

**S190351**

**NICHOLS III (JOSEPH) ON  
H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190354**

**WILLIAMS (JOHN WESLEY)  
ON H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190412**

**GUTIERREZ (EDWARD) ON  
H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190416**

**JOHNSON (RUSSELL  
LEROY) ON H.C.**

The petition for writ of habeas corpus is denied on the merits.

Werdegarr, J., was absent and did not participate.

**S190427**

**FUENTES (PRIMITIVO) ON  
H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190460**

**TOWERY (GLENN RAFAEL)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; 767-769; *People v. Duvall* (1995) 9 Cal.4th 464; 474; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

Werdegarr, J., was absent and did not participate.

**S190483****GARCIA (HUMBERTO) ON  
H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190561****RODRIGUEZ (ROLANDO)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Dixon* (1953) 41 Cal.2d 756, 759.)  
Werdegarr, J., was absent and did not participate.

**S190592****WILLIAMSON (JAMES B.)  
ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190606****FORCH (FRANKLIN  
LARANCE) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190628****DAVIS (DAMATRIC) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)  
Werdegarr, J., was absent and did not participate.

**S190657****BARBEE (MARK KENNETH)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Miller* (1941) 17 Cal.2d 734, 735.)  
Werdegarr, J., was absent and did not participate.

**S190660****GRIMES (JOSEPH) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190673**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**TILLMAN (FRANK) ON H.C.****S190675**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegarr, J., was absent and did not participate.

**PEÑA (DANIEL A.) ON H.C.****S190677**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegarr, J., was absent and did not participate.

**HERRERA (JOHN D.) ON  
H.C.****S190682**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**COLLINS (ARNOLD) ON H.C.****S190690**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegarr, J., was absent and did not participate.

**BERGMAN (ROBERT  
DOUGLAS) ON H.C.****S190698**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**POUNCIL (MADERO  
LAMALL) ON H.C.****S190701**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**CAMPBELL (EUGENE) ON  
H.C.****S190704**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**HAYES (MILTON) ON H.C.**

**S190716****KENT (KENNY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

Werdegarr, J., was absent and did not participate.

**S190720****MARTINEZ (JOSE LUIS) ON H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190723****HERBERT (TA-BA KARRON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

Werdegarr, J., was absent and did not participate.

**S190726****YU (CHUNG) ON H.C.**

Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S190752****FONTENOT (RICKY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

Werdegarr, J., was absent and did not participate.

**S190753****TOWERY (GLENN RAFAEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; 767-769.)

Werdegarr, J., was absent and did not participate.

**S190758****MILLAN (DAVID) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

Werdegarr, J., was absent and did not participate.

**S190759****WILLIAMS (GREG H.) ON  
H.C.**

Petition for writ of habeas corpus denied  
Werdegar, J., was absent and did not participate.

**S190761****JONES, JR., (ELVIS) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegar, J., was absent and did not participate.

**S190769****WOODSON (THOMAS R.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegar, J., was absent and did not participate.

**S190772****MARTIN (CURTIS L.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegar, J., was absent and did not participate.

**S190783****SHAW, JR., (BERNARD  
LASHAWN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegar, J., was absent and did not participate.

**S190790****VILLEGAS (ROBERT  
HENRY) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegar, J., was absent and did not participate.

**S190791****COLES (JAMEEL RAHMAN)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegar, J., was absent and did not participate.

**S190825****SPENCER (BILLY JOE) ON  
H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190829****FORCH (FRANKLIN  
LARANCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)  
Werdegarr, J., was absent and did not participate.

**S190853****DANIELS (JEFFREY M.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)  
Werdegarr, J., was absent and did not participate.

**S190861****DANIELS (JEFFREY M.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)  
Werdegarr, J., was absent and did not participate.

**S190899****CHATMAN (WALDEN) ON  
H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190920****THOMAS (JOHNNY) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190922****FKADU (BERIHU HADERA)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769;  
*In re Swain* (1949) 34 Cal.2d 300, 304.)  
Werdegarr, J., was absent and did not participate.

**S190929****ATHERTON (FRED RICK)  
ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190949****CROCKETT (KHESAHN) ON  
H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190994****RIVAS (URBANO) ON H.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S190996****MATTHEWS (RICKY D.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)  
Werdegarr, J., was absent and did not participate.

**S191004****RAMINES (REMIJIO) ON  
N.C.**

Petition for writ of habeas corpus denied  
Werdegarr, J., was absent and did not participate.

**S191019****CHAVEZ (EDWIN  
EDUARDO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)  
Werdegarr, J., was absent and did not participate.

**S191095****DeVAUGHN (ANTHONY M.)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *People v. Hull* (1991) 1 Cal.4th 266; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)



Werdegar, J., was absent and did not participate.

**S191901**

**WELCH (EUGENE  
EVERETT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735.)

Werdegar, J., was absent and did not participate.

**S193495**

**WILLIAMS (JOHN W.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

Werdegar, J., was absent and did not participate.

**S194217**

**EVANS, JR., (JAMES) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Werdegar, J., was absent and did not participate.

**S194258**

B226614 Second Appellate District, Div. 3

**GUTIERREZ (LUIS) v.  
GIRARDI (THOMAS V.)**

Depublication request denied (case closed)

Werdegar, J., was absent and did not participate.

**S082101**

**PEOPLE v. RHOADES  
(ROBERT BOYD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Jennifer M. Poe's representation that she anticipates filing the respondent's brief by September 20, 2011, counsel's request for an extension of time in which to file that brief is granted to September 20, 2011. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S118147****PEOPLE v.  
MIRANDA-GUERRERO  
(VICTOR M.)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Denise Kendall's representation that she anticipates filing the appellant's opening brief by April 30, 2012, counsel's request for an extension of time in which to file that brief is granted to September 30, 2011. After that date, only four further extensions totaling about 210 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S188204**      D055701 Fourth Appellate District, Div. 1**PEOPLE v. ARANDA, JR.,  
(ANTHONY)**

Extension of time denied

The "Application for an Extension of Time to File Appellant's Brief on the Merits," filed July 25, 2011, is denied.

**S192828**      B228732 Second Appellate District, Div. 3**LOS ANGELES, CITY OF &  
DOES 1 THROUGH 50 v. S.C.  
(ENGINEERS &  
ARCHITECTS  
ASSOCIATION)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 26, 2011.

**S194368**      B222740 Second Appellate District, Div. 7**PAVELIC (ANTE) v. MARINO  
(GIL)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is extended to August 5, 2011.

**S194878**      C063624 Third Appellate District**HARRIS (KAMALA D.) v.  
NATIVE WHOLESALE  
SUPPLY COMPANY**

Extension of time granted

On application of appellant and good cause appearing it is ordered that the time to serve and file the answer to the petition for review is extended to August 18, 2011.

**S004770****PEOPLE v. MEMRO  
(HAROLD RAY)**

Counsel appointment order filed

Good cause appearing, the “Motion for Leave to Substitute as Lead and Associate Counsel,” filed July 15, 2011, is granted.

The order appointing Peter Giannini and James S. Thomson as lead and associate counsel of record, respectively, for condemned inmate Harold Ray Memro, filed October 16, 2002, is hereby vacated.

James S. Thomson is hereby appointed as lead counsel of record for condemned inmate Harold Ray Memro, and Peter Giannini is appointed as associate counsel of record on behalf of Memro, for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

Werdegarr, J., was absent and did not participate.

**S111336****BENAVIDES FIGUEROA  
(VICENTE) ON H.C.**

Motion denied

Petitioner’s “Motion for Corrected Amended Informal Response,” filed on April 27, 2011, is denied.

Pending before this court is petitioner’s fifth request for an extension of time to file his reply to the informal response, which is currently due on August 5, 2011. Counsel is ordered to file a supplemental declaration in support of his application for extension of time in light of this order denying his April 27, 2011 motion.

Werdegarr, J., was absent and did not participate.

**S193367****ACCUSATION OF  
PAPAGEORGE**

Petition denied (accusation)

Werdegarr, J., was absent and did not participate.

**S193227****AAMES ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANDREW BENJAMIN AAMES, State Bar Number 117380, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ANDREW BENJAMIN AAMES is suspended from the practice of law for the first 15 months of probation (with credit given for the period of interim suspension which commenced on November 29, 2010);
2. ANDREW BENJAMIN AAMES must comply with the other conditions of probation

recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 29, 2011; and

3. At the expiration of the period of probation, if ANDREW BENJAMIN AAMES has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANDREW BENJAMIN AAMES must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ANDREW BENJAMIN AAMES must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If ANDREW BENJAMIN AAMES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S193229****ARASE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID KIYOSHI ARASE, State Bar Number 233705, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DAVID KIYOSHI ARASE must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 12, 2011; and
2. At the expiration of the period of probation, if DAVID KIYOSHI ARASE has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S193230****BROWN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID FRANKLIN BROWN, State Bar Number 172130, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, subject to the following conditions:

1. DAVID FRANKLIN BROWN is suspended from the practice of law for a minimum of 90

days, and he will remain suspended until the following requirements are satisfied:

- i. He makes restitution to Douglas Lawrence in the amount of \$2,500 plus 10 percent interest per annum from November 12, 2009 (or reimburses the Client Security Fund to the extent of any payment from the fund to Douglas Lawrence, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - ii. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
  - iii. If DAVID FRANKLIN BROWN remains suspended for two years or more as a result of not satisfying the preceding requirements, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. DAVID FRANKLIN BROWN must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

DAVID FRANKLIN BROWN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DAVID FRANKLIN BROWN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

## **S193232**

## **EZEIFE ON DISCIPLINE**

Recommended discipline imposed

The court orders that NWABUEZE CHUKWUEDOZ I. EZEIFE, a.k.a. DOZIE IKE EZEIFE, State Bar Number 165472, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. NWABUEZE CHUKWUEDOZ I. EZEIFE is suspended from the practice of law for the first year of probation;
2. NWABUEZE CHUKWUEDOZ I. EZEIFE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 29, 2011; and
3. At the expiration of the period of probation, if NWABUEZE CHUKWUEDOZ I. EZEIFE has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

NWABUEZE CHUKWUEDOZ I. EZEIFE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S193233****HANSEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that KIMBERLY ALLYSON HANSEN, State Bar Number 167597, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. KIMBERLY ALLYSON HANSEN is suspended from the practice of law for the first 30 days of probation;
2. KIMBERLY ALLYSON HANSEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 5, 2011; and
3. At the expiration of the period of probation, if KIMBERLY ALLYSON HANSEN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

KIMBERLY ALLYSON HANSEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2012 and 2013. If KIMBERLY ALLYSON HANSEN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S193234****KLINE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RONALD CRAVER KLINE, State Bar Number 58903, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RONALD CRAVER KLINE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S193238****BEURY ON DISCIPLINE**

Recommended discipline imposed

The court orders that DONALD DENNIS BEURY, State Bar Number 141733, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DONALD DENNIS BEURY is suspended from the practice of law for a minimum of the first 60 days of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Kirk and Carolyn Blanchard in the amount of \$1,180 plus 10 percent interest per year from July 1, 2006 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Kirk and Carolyn Blanchard, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - ii. He makes restitution to Van Fields in the amount of \$1,500 plus 10 percent interest per year from October 12, 2009 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Van Fields, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - iii. If he remains suspended for two years or more as a result of not satisfying the preceding conditions, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii)); and
  - iv. If DONALD DENNIS BEURY remains suspended for 90 days or more, he must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.
2. DONALD DENNIS BEURY must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 11, 2011.
3. At the expiration of the period of probation, if DONALD DENNIS BEURY has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DONALD DENNIS BEURY must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If DONALD DENNIS BEURY fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S193239****BROWN III ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES JOSEPH BROWN III, State Bar Number 169686, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES JOSEPH BROWN III, must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on March 15, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

JAMES JOSEPH BROWN III, must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S193240****CHRISTIANI ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that TONI LORILEE CHRISTIANI, State Bar Number 202884, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. TONI LORILEE CHRISTIANI is suspended from the practice of law for the first year of probation;
2. TONI LORILEE CHRISTIANI must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 5, 2011; and
3. At the expiration of the period of probation, if TONI LORILEE CHRISTIANI has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

TONI LORILEE CHRISTIANI must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

TONI LORILEE CHRISTIANI must also comply with California Rules of Court, rule 9.20, and



perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2012, 2013, and 2014. If TONI LORILEE CHRISTIANI fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S193241****DAY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BRIAN LEO DAY, State Bar Number 140451, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BRIAN LEO DAY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S193242****ROBINSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that VON WALLACE ROBINSON, State Bar Number 176184, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

VON WALLACE ROBINSON must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on March 16, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

VON WALLACE ROBINSON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S192200****RODRIGUEZ ON  
RESIGNATION**

Resignation declined

This court, having considered the request, declines to accept the voluntary resignation with

disciplinary charges pending of ROSEMARY RODRIGUEZ, State Bar Number 64529, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).) ROSEMARY RODRIGUEZ remains on inactive status. (Cal. Rules of Court, rule 9.21(a).) She may move in the State Bar Court to be restored to active status, at which time the Office of Chief Trial Counsel may demonstrate any basis for her continued ineligibility to practice law. The State Bar Court will expedite the resolution of any request by ROSEMARY RODRIGUEZ to be restored to active status. Any return to active status will be conditioned on ROSEMARY RODRIGUEZ's payment of any dues, penalty payments, and restitution owed by her. The underlying disciplinary matter should proceed promptly.

Werdegarr, J., was absent and did not participate.

**S192365****SCHLOTHAUER ON  
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of THOMAS LEE SCHLOTHAUER, State Bar Number 56074, as a member of the State Bar of California is accepted. If THOMAS LEE SCHLOTHAUER subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against him.

THOMAS LEE SCHLOTHAUER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may be considered in any future reinstatement proceeding.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Werdegarr, J., was absent and did not participate.

**S192571****ALVAREZ ON  
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of GABRIELA AGUSTINA ALVAREZ, State Bar Number 132052, as a member of the State Bar of California is accepted. If GABRIELA AGUSTINA ALVAREZ subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against her.

GABRIELA AGUSTINA ALVAREZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may be considered in any future reinstatement proceeding.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Werdegar, J., was absent and did not participate.

